

It was noted that the phrase "and disposed between said opposing electrodes" should be deleted. In this regard, please note that claim 169 corresponds to Figs. 10 and 11(5). In these figures it can be seen that the emitting device is not disposed between the two electrodes. Moreover, since the electron emitting device is comprised of the opposing electrodes, it is apparent the device would not be disposed between said opposing electrodes. Accordingly, it is respectfully submitted that the phrase was inserted as the result of an inadvertent typographical transcription error.

For the Examiner's convenience copies of Figs. 10 and 11 are attached hereto to provide support for the present claim amendment.

Parent Application, 08/396,066 had been allowed March 1, 1996. This error was noted on May 31, 1996, and an amendment after final under 37 C.F.R. § 1.312 was filed by facsimile. However, upon contacting the Examiner we were advised that the file could not be retrieved before the non-extendable due date for payment of the Issue Fee. Accordingly, to ensure entry and consideration of amended claim 169, Applicants refiled this case.

The amendment to the "Brief Description of the Drawings" was made in accordance with the communication received in the parent application from the Drawing Processing Branch of the Publishing Division (copy attached). Accordingly, the amendment corrects the inconsistency between the drawings and the specification, which refers to the

the figures using numerical subparts and the formal corrected drawings filed May 15, 1996, which refer to the figures using letter subparts.

Entry of the Preliminary Amendment and favorable consideration of the claims and issuance of the subject application is respectfully requested.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 758-2400. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Attorney for Applicants

Registration No. 34,826

FITZPATRICK, CELLA, HARPER & SCINTO
277 Park Avenue
New York, New York 10172
Facsimile: (212) 758-2982
F511/A537151